

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ALTICOR GLOBAL HOLDINGS, INC.,  
AMWAY CORP., ALTICOR, INC., and  
AMWAY INTERNATIONAL INC.,  
  
Plaintiffs/Counter-Defendants,  
  
v.  
  
AMERICAN INTERNATIONAL SPECIALTY  
LINES INSURANCE COMPANY (n/k/a AIG  
Specialty Insurance Company),  
  
Defendant,  
  
and  
  
NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA.,  
  
Defendant/Counter-Plaintiff.

**DEFENDANTS' UNOPPOSED MOTION TO MODIFY THE  
SUMMARY JUDGMENT BRIEFING SCHEDULE**

Defendants American International Specialty Lines Insurance Company (“AISLIC”) and National Union Fire Insurance Company of Pittsburgh, Pa. (“National Union”), pursuant to Federal Rule of Civil Procedure 6(b) and Local Civil Rule 7.1(c), and for their Unopposed Motion to Modify the Summary Judgment Briefing Schedule, state as follows:

1. Pursuant to the Joint Stipulated Second Revised Case Management Order (Phase 2) [ECF 233], the parties filed the following four motions for summary judgment on April 2, 2021:

- a. Plaintiffs' motion for summary judgment against AISLIC [ECF 234]<sup>1</sup>;
- b. Plaintiffs' motion for summary judgment against National Union [ECF 232];
- c. AISLIC's motion for partial summary judgment against Plaintiffs [ECF 230, 231, 235, 236]; and
- d. National Union's motion for summary judgment against Plaintiffs [ECF 229, 233].

2. Pursuant to Local Rule 7.2(c), each party currently has twenty-eight days, or until April 30, 2021, to file their respective responsive briefs opposing any motions for summary judgment, and the moving party may file a reply brief within fourteen days after service of the response.

3. Defendants respectfully request that this Court modify the current briefing schedule given the number of briefs at issue and the numerous issues each addresses.

4. National Union further requests a modification to the briefing schedule due to health issues of one of its undersigned counsel, which will cause him to be out of the office for a significant amount of time over the next month.

5. Defendants therefore respectfully request that this Court extend the deadline for the parties to file their respective oppositions to any motions for summary judgment from April 30, 2021 to May 14, 2021, and that this Court extend the deadline for the parties to file replies in support of their respective motions for summary judgment to June 4, 2021.

6. Defendants have conferred with counsel for Plaintiffs on April 8 and 13, 2021, and Plaintiffs' counsel advised on April 13 that Plaintiffs do not oppose the relief requested herein.

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<sup>1</sup> "Plaintiffs" refers collectively to Plaintiffs Alticor Global Holdings, Inc., Amway Corp., Alticor, Inc., and Amway International Inc.

7. Defendants' proposed extension will not impact any other dates currently pending. On April 7, 2021, the Court scheduled a hearing on the parties' motions for summary judgment for June 18, 2021 [ECF 238]. Under the Defendants' proposed briefing schedule, the parties' reply briefs must be filed on or before June 4, 2021, two full weeks prior to the hearing. Defendants do not seek to reschedule the hearing.

8. This is Defendants' first request for an extension of time to the briefing schedule with respect to these dispositive motions. Defendants file this unopposed motion in good faith and not for the purpose of unnecessary delay.

9. A proposed order granting this motion is attached.

WHEREFORE, Defendants respectfully request that this Court grant this motion and enter an order modifying the briefing schedule so that oppositions to all motions for summary judgment are due on May 14, 2021, and replies in support of all motions for summary judgment are due on June 4, 2021.

April 14, 2021

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 14, 2021, I caused the foregoing, to be electronically filed with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

/s/ Thomas W. Arvanitis